

Federal Communications Commission

§ 5.309

EFFECTIVE DATE NOTE: At 78 FR 25162, Apr. 29, 2013, §§ 5.307 was added. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 5.308 Stop buzzer.

A “Stop Buzzer” point of contact must be identified and available at all times during operation of each experiment conducted under a program license. A “stop buzzer” point of contact is a person who can address interference concerns and cease all transmissions immediately if interference occurs.

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§ 5.309 Notification requirements.

(a) At least ten calendar days prior to commencement of any experiment, program experimental licensees must provide the following information to the Commission’s program experimental registration Web site.

(1) A narrative statement describing the experiment, including a description and explanation of measures taken to avoid causing harmful interference to any existing service licensee;

(2) Contact information for the researcher-in-charge of the described experiment;

(3) Contact information for a “stop buzzer”; and

(4) Technical details including:

(i) The frequency or frequency bands;

(ii) The maximum equivalent isotropically radiated power (EIRP) or effective radiated power (ERP) under consideration;

(iii) The emission designators to be used;

(iv) A description of the geographic area in which the test will be conducted;

(v) The number of units to be used; and

(vi) A mitigation plan as required by § 5.311, if necessary.

(5) For program license experiments that may affect frequency bands used for the provision of commercial mobile services, emergency notifications, or

public safety purposes, a list of those critical service licensees that are authorized to operate in the same bands and geographic area of the planned experiment.

(b) Experiments may commence without specific approval or authorization once ten calendar days have elapsed from the time of posting to the above Web site. During that ten-day period, the licensee of an authorized service may contact the program licensee to resolve any objections to an experiment. It is expected that parties will work in good faith to resolve such objections, including modifying experiments if necessary to reach an agreeable resolution. However, only the Commission has the authority to prevent a program licensee from beginning operations (or to order the cessation of operations). Therefore, if an incumbent licensee believes that it will suffer interference (or in fact, has experienced interference), it must bring its concerns to the Commission for action. In such an event, the Commission will evaluate the concerns, and determine whether a planned experiment should be permitted to commence as proposed (or be terminated, if the experiment has commenced).

(c) The Commission can prohibit or require modification of specific experiments under a program experimental radio license at any time without notice or hearing if in its discretion the need for such action arises.

(d) Within 30 days after completion of each experiment conducted under a program experimental radio license, the licensee shall file a narrative statement describing the results of the experiment, including any interference incidents and steps taken to resolve them. This narrative statement must be filed to the Commission’s program experimental registration Web site and be associated with the materials described in paragraphs (a) and (b) of this section.

(e)(1) The Commission may ask licensees for additional information to resolve an interference incident, gain a better understanding of new technology development, or for auditing purposes to ensure that licensees are